

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MALIK BROWN,

21 Cr-214(CS)

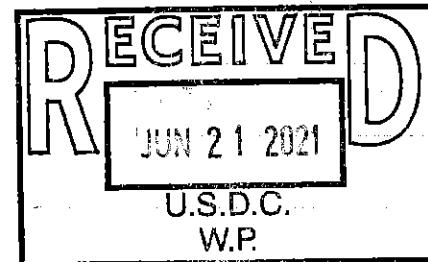
Plaintiff,

~~NOTICE~~ OF MOTION

- against -

STEPHEN URBANSKI, et al.,

Defendants.



PLEASE TAKE NOTICE that I, Plaintiff MALIK L BROWN
request that the Court Deny defendants motion to
dismiss filed by (Counsel) Brendan M. Horan, representing
defendants, STEPHEN URBANSKI, Issa Yunes,
Joseph Deacon, Mark DelBianco, Sharon Frost,
Emily Williams, Alexander Minard, Brendan Walsh,
Danielle Cebron, Anthony Annucci Defendants

In the above-Captioned action I, ask that
this court resume civil action in this case

For discovery and Jury purposes Document
24 filed 5/25/21 Page 2 of 3 By Counsel,
Brendan M Horan, ^{which} stated I failed to state
a claim & lack of Jurisdiction, then states on the
Page that I made claims for violation of my
eighth Amendment, also I argue the lack
of jurisdiction, for the Southern District Court
of New York caters to the District that
fishkill falls in, I wasnt in the vicinity
when I filed my suit, but I still filed suit
With the rightful district court for the county
in which the incident took place I clearly
stated the personal Involvement, I stand
behind my claim that defendants, are liable

For my assault by another inmate, I understand that every injury suffered by one prisoner to another doesn't translate into Constitutional liability for prison officials but this does. I clearly stated how I was incarcerated under conditions that posed a substantial risk of serious harm and I clearly stated how defendant showed deliberate indifference towards my safety as well as other prisoners and all staff along as well.

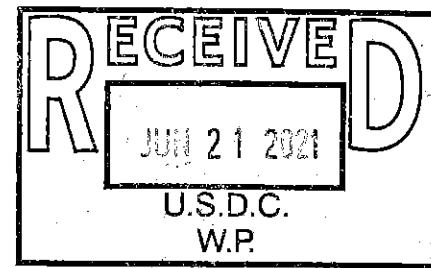
My claim supports this it is
the officers job to secure
Mechanical Restraints which they
did not my attacker is/was a known
~~Aggressor~~ with a violent history at
Fishkill Correctional Facility and was
Confined to SHU for a violent altercation
With staff that resulted in a use of force
so staff Carelessly showed indifference
When they failed to secure his
restraints inmate was knowingly dangerous
they put me in harm that alone
Established the conditions & the risk that
was posed I was fully restrained in a yard

In the blistering heat with other
fully restrained inmates officer
spns didnt have maze or a radio
and my attacker was able to
walk around for ten minutes
straight with no wrist chain
on. Staff present didnt even
notice that, then counsel for
the defendants contradicted
his statement by backing my
argument/claim to defendants
motion use of force was not
applied in good faith my attacker
was subdued already I was on

my stomach bleeding profandy
from a cracked skull I was
tapped on my shoulder I glanced
then was sprayed, I backed
the medical malpractice when
I was kept in that yard battered
bruised and sprayed for
36-37 min. Nurse Cobron wrote 2
false time of incident and treatment
I had to go to St Lukes hospital
twice. I ask the court to dismiss
the motions for defendant depend on immunit
status not fact I ask you resume this
case into the discovery stage the video will back

6/13/2021 7:14 PM

My claim



Submitted by: Malik L Brown
16A1000 plaintiff

ATTICA Correctional
Facility

ATTICA NY 10411-0149

CC: Brown 16A1000

Signature: Malik Brown
cc: Prose Intake Unit

ATTICA CORRECTIONAL FACILITY
BOX 149
ATTICA, NEW YORK 14011-0149

NAME: Mark Brown DIN: 104000

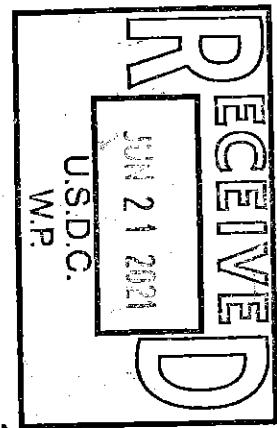
ATTICA
CORRECTIONAL FACILITY



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SOUTHERN DISTRICT OF NEW YORK
U.S. COURTHOUSE - 300 CARROPSAS
WHITE PLAINS, NEW YORK 10601-1630

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